

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA) Case No. 1:22-cr-51
)
v.)
) Judge Atchley
MICHAEL SHANE DYER))
) Magistrate Judge Steger

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation [Doc. 185] recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Counts One and Three of the three-count Superseding Indictment; (2) accept Defendant's guilty plea to Counts One and Three of the three-count Superseding Indictment; (3) adjudicate Defendant guilty of Count One: possession with intent to distribute 50 grams or more of methamphetamine (actual) in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A); (4) adjudicate Defendant guilty of Count Three: possession of a firearm in furtherance of the drug trafficking crime charged in Count One in violation of 18 U.S.C. § 924(c)(1)(A); and (5) order that Defendant remain in custody pending sentencing or further order of the Court.

After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 185] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea to Counts One and Three of the three-count Superseding Indictment is **GRANTED**;
2. Defendant's plea of guilty to Counts One and Three of the three-count Superseding Indictment is **ACCEPTED**;

3. Defendant is hereby **ADJUDGED** guilty of Count One: possession with intent to distribute 50 grams or more of methamphetamine (actual) in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A);
4. Defendant is hereby **ADJUDGED** guilty of Count Three: possession of a firearm in furtherance of the drug trafficking crime charged in Count One in violation of 18 U.S.C. § 924(c)(1)(A); and
5. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter, which is scheduled to take place on **November 20, 2025, at 10:00 a.m. E.T.**

SO ORDERED.

/s/ Charles E. Atchley, Jr.
CHARLES E. ATCHLEY, JR.
UNITED STATES DISTRICT JUDGE